

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

United States of America)	
)	
v.)	
)	Case No. 1:09cr430 (GBL)
Jose Rodriguez, et al.,)	
)	
Defendants.)	

ORDER

THIS MATTER is before the Court on Defendant Yesenia Banegas's Request for Reconsideration of Denial of Expert Witness (Dkt. No. 294) ; Defendant Oscar Barahona's Motion to Adopt and Conform Request for Reconsideration of Denial of Expert Witness (Dkt. No. 295); Defendant Delmy Mendieta's Motion to Adopt and Conform Request for Reconsideration of Denial of Expert Witness (Dkt. No. 297); Defendant Delmy Mendieta's Motion to Adopt and Conform Rule 16 Notice of Expert Witness (Dkt. No. 298); Defendant Jose Rodriguez's Motion to Adopt and Conform Request for Reconsideration of Denial of Expert Witness (Dkt. No. 299); and Defendant Maria Del Carmen Rapalo's Motion to Adopt and Conform Co-Defendant Yesenia Banegas's Request for Reconsideration of Denial of Expert Witness (Dkt. No. 305). Upon reviewing each of the Motions, the Court hereby

GRANTS Defendants' request that the Court permit Mr. Donald N. Brotman to testify in this case as a real estate mortgage expert. Because Mr. Brotman's proposed testimony is relevant and he is qualified by experience as a real estate broker and as an adjunct professor of real estate and business law at George Mason University and Northern Virginia Community College, the Court grants Defendants' motions to allow Mr. Brotman to testify as an expert in the field of real estate industry practices, mortgage practices and transactions. Mr. Brotman will be permitted to testify for all Defendants in this case regarding the practices of securitization and bundling in Northern Virginia during the period of 2005 through 2008. He will testify regarding real estate brokerage companies' practices concerning the recruitment of inexperienced and untrained agents, who in turn targeted the Hispanic community to sell them subprime loans on properties they could not afford. Mr. Brotman will also testify concerning the practice of reverse redlining, where marketing teams would bring in allegedly naive Hispanic clients and induced them to enter into fraudulent transactions, with agents and brokers using the Hispanic clients as instruments to sell vast amounts of subprime mortgages in order to secure a continuing source of fees. Mr. Brotman will be made available as a witness for all Defendants, including Oscar Barahona, Delmy Mendieta, Maria Del Carmen Rapalo, and José Rodriguez. Mr. Brotman's fees may not exceed

the sum of \$5000.00 as to all Defendants, including testimony.

The Clerk is directed to forward a copy of this Order to defense counsel of record.

Entered this 30th day of June, 2010.

Alexandria, Virginia

/s/
Gerald Bruce Lee
United States District Judge